

time, by the proper field officer or by any person duly authorized by the Secretary having jurisdiction, and disposed of as the Secretary shall determine, by deposit in the proper national depository or otherwise.

### § 3.17 Preservation of collection.

Every collection made under the authority of the act and of this part shall be preserved in the public museum designated in the permit and shall be accessible to the public. No such collection shall be removed from such public museum without the written authority of the Secretary of the Smithsonian Institution, and then only to another public museum, where it shall be accessible to the public; and when any public museum, which is a depository of any collection made under the provisions of the act and this part, shall cease to exist, every such collection in such public museum shall thereupon revert to the national collections and be placed in the proper national depository.

## PART 4—DEPARTMENT HEARINGS AND APPEALS PROCEDURES

### Subpart A—General; Office of Hearings and Appeals

#### Sec.

- 4.1 Scope of authority; applicable regulations.
- 4.2 Membership of appeals boards; decisions, functions of Chief Judges.
- 4.3 Representation before appeals boards.
- 4.4 Public records; locations of field offices.
- 4.5 Power of the Secretary and Director.

### Subpart B—General Rules Relating to Procedures and Practice

- 4.20 Purpose.
- 4.21 General provisions.
- 4.22 Documents.
- 4.23 Transcript of hearings.
- 4.24 Basis of decision.
- 4.25 Oral argument.
- 4.26 Subpoena power and witness provisions generally.
- 4.27 Standards of conduct.
- 4.28 Interlocutory appeals.
- 4.29 Remands from courts.
- 4.30 Information required by forms.

- 4.31 Request for limiting disclosure of confidential information.

### Subpart C—Special Rules of Practice Before the Interior Board of Contract Appeals

- 4.100 General rules and guidelines.

#### PREHEARING PROCEDURE RULES

- 4.101 Who may appeal.
- 4.102 Appeals—how taken.
- 4.103 Forwarding and docketing of appeals.
- 4.104 Preparation, organization, transmittal, and status of appeal file.
- 4.105 Dismissal for lack of jurisdiction.
- 4.106 Representation and appearances.
- 4.107 Pleadings.
- 4.108 Amendments of pleadings or record.
- 4.109 Hearing—election.
- 4.110 Prehearing briefs.
- 4.111 Prehearing or presubmission conference.
- 4.112 Submission without a hearing.
- 4.113 Optional small claims (expedited) and accelerated procedures. (See § 4.100(a)(2).)
- 4.114 Settling of the record.
- 4.115 Discovery—depositions.
- 4.116 Interrogatories to parties; inspection of documents; admission of facts.
- 4.117 Service of papers.

#### HEARING PROCEDURE RULES

- 4.118 Hearings—where and when held.
- 4.119 Notice of hearings.
- 4.120 Subpoenas. (See § 4.100(a)(2).)
- 4.121 Unexcused absence of a party.
- 4.122 Nature of hearings.
- 4.123 Examination of witnesses.
- 4.124 Submission of briefs.

#### POSTHEARING PROCEDURE RULES

- 4.125 Decisions.
- 4.126 Motions for reconsideration.
- 4.127 Dismissals.
- 4.128 Remands from courts.

#### APPENDIX I TO SUBPART C OF PART 4—SUGGESTED FORM OF NOTICE OF APPEAL

### Subpart D—Rules Applicable in Indian Affairs Hearings and Appeals

#### DETERMINATIONS OF HEIRS AND APPROVAL OF WILLS, EXCEPT AS TO MEMBERS OF THE FIVE CIVILIZED TRIBES AND OSAGE INDIANS; TRIBAL PURCHASES OF INTERESTS UNDER SPECIAL STATUTES

#### SCOPE OF REGULATIONS; DEFINITIONS; GENERAL AUTHORITY OF OHA DECIDING OFFICIALS

- 4.200 Scope of regulations.
- 4.201 Definitions.
- 4.202 General authority of OHA deciding officials.